

PRODUCT: 157 pounds of dressed turkeys at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of birds contaminated with excreta; and, Section 402 (a) (5), the article was in whole or in part the product of a diseased animal, or of an animal which had died otherwise than by slaughter.

DISPOSITION: January 3, 1951. Default decree of condemnation and destruction.

SPICES, FLAVORS, AND SEASONING MATERIALS

17098. Adulteration and misbranding of terpeneless oil of lemon. U. S. v. D. W. Hutchinson & Co., Inc., and Wallace Hutchinson. Pleas of guilty. Fine, \$900. (F. D. C. No. 26694. Sample Nos. 13201-K, 13216-K, 18047-K.)

INFORMATION FILED: December 22, 1950, Southern District of New York, against D. W. Hutchinson & Co., Inc., and Wallace Hutchinson, president of the corporation.

ALLEGED SHIPMENT: On or about January 29, February 17, and March 9, 1948, from the State of New York into the States of New Jersey and Indiana.

LABEL, IN PART: "D. W. Hutchinson & Co. Incorporated Perfumers Chemicals Raw Materials Fine Drugs Essential Oils For Manufacturing & Professional Use Only Net 1 lb. [or "5 lbs."] Oil Lemon Terpeneless * * * New York."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture of insufficiently concentrated lemon oil and other flavoring substances had been substituted for terpeneless lemon oil; and, Section 402 (b) (4), flavoring substances other than terpeneless lemon oil had been added to the product so as to reduce its quality and make it appear to be terpeneless lemon oil, which is better and of a greater value.

Misbranding, Section 403 (b), the product consisted of a mixture of insufficiently concentrated lemon oil and other flavoring substances, and it was offered for sale under the name of another food, namely terpeneless lemon oil.

DISPOSITION: January 30, 1951. Pleas of guilty having been entered, the court imposed a fine of \$900 against the defendants, jointly and severally.

17099. Adulteration and misbranding of imitation black pepper. U. S. v. 8 Cases * * *. (F. D. C. No. 30313. Sample No. 91892-K.)

LIBEL FILED: November 28, 1950, District of New Jersey.

ALLEGED SHIPMENT: On or about October 13, 1950, by Quality Trading Corp., Inc., of New York, N. Y.

PRODUCT: 8 cases, each containing 24 3-ounce shakers, of imitation black pepper at Raritan, N. J. Examination disclosed that the article consisted essentially of buckwheat hulls, an unidentified cereal, pepper, chilies, and salt.

LABEL, IN PART: "Unger Brand Black Pepper Contents 3 Oz. * * * Imitation Packed By Unger & Sons Brooklyn, New York" or "Unger Brand Imitation Black Pepper Contents 3 Oz. Packed By Unger & Sons Brooklyn, New York."

The words "Black Pepper" appeared on the labels in bold type, whereas the word "Imitation" was so small that it was likely to be overlooked.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a mixture having little or no pungency had been substituted for black pepper, which the product was represented to be.

Misbranding, Section 403 (a), the prominent label designation "Black Pepper" was false and misleading.

DISPOSITION: January 2, 1951. Default decree of condemnation and destruction.

17100. Adulteration of chili peppers, ground red peppers, and base for imitation black pepper. U. S. v. 40 Bags, etc. (F. D. C. No. 29953. Sample Nos. 86041-K to 86043-K, incl.)

LABEL FILED: On or about October 31, 1950, Eastern District of Louisiana.

ALLEGED SHIPMENT: On or about April 20, May 24, and December 21, 1949, and January 25 and August 30, 1950, from New York, N. Y., and San Antonio and Fort Worth, Tex.

PRODUCT: 40 bags of chili peppers, 42 bags of ground red peppers, and 8 bags of base for imitation black pepper at New Orleans, La.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the products consisted in whole or in part of filthy substances by reason of the presence of insects. The products were adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: December 4, 1950. Default decree of condemnation and destruction.

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PRODUCTS

	N. J. No.		N. J. No.
Almonds, shelled	17088	Durum wheat	17062
Bakery products	17055-17057	Feeds and grains	17074, 17075
Beans, green, stringless, canned	17082	Fish and shellfish	17076-17080
Beets, canned	17082	Flavors. <i>See</i> Spices, flavors, and seasoning materials.	
Beverages and beverage materials	17051-17054	Flour	17058-17060
Brazil nuts	17089, 17090	Fruits and vegetables	17051-17054, 17081-17087
Bread	17055, 17056	fruit, frozen	17081
Butter	17069	tomatoes and tomato products	17052-17054, 17083-17087
Candy	17064	vegetables	17082
Cereals and cereal products	17055-17063	Grains. <i>See</i> Feeds and grains.	
Cheese, grated	17070	Grape juice	17051
Chestnuts	17091	Green beans, stringless, canned	17082
Chili peppers	17100	Griddlecake flour	17059
Chocolate coating, sweet	17065	Grits, soy	17063
Cookies	17057	Haddock fillets, frozen	17076
Corn meal	17060	Instant Whip	17073
Corn, okra, and tomatoes, canned (mixed vegetables)	17082	Lemon, terpeneless oil of	17098
Cream, whipping	¹ 17071	Nuts	17088-17092
Dairy products	¹ 17069-17073	Okra, canned	17082

¹ (17071) Prosecution contested.